

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of

Applicants : Albert N. Shigapov, Brendan P. Carberry, Robert W. McCabe
Serial No. : 09/683,642
Filed : January 29, 2002
Title : METHOD OF TREATING DIESEL EXHAUST GASES
Docket No. : FRD 0189 PA
Art Unit : 3748
Examiner : D. Tran

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RECEIVED

APR 08 2004
TECHNOLOGY CENTER R3700

Sir:

**DECLARATION OF ALBERT N. SHIGAPOV, BRENDAN P. CARBERRY
AND ROBERT W. MCCABE UNDER 37 CFR §1.131**

We, Albert N. Shigapov, Brendan P. Carberry and Robert W. McCabe, declare and state as follows:

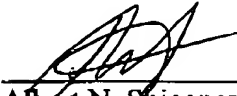
We are co-inventors of the above-identified patent application which is assigned to Ford Global Technologies, Inc., and with whom we are presently employed. We are familiar with the Office Action mailed January 13, 2004, including the rejections made by the Examiner therein. We are also familiar with the references cited by the Examiner in that Office Action including U.S. Patent Application Publication No. US 2003/0104932 to Kim.

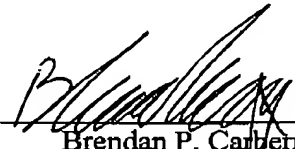
On a date prior to May 16, 2001, the effective filing date of the Kim publication, we had jointly conceived of the subject matter of claims 1-20 and 22-29 of this patent application and had jointly reduced such subject matter to practice. All of the acts reported below were carried out in the United States. As evidence of the conception and reduction to practice of the invention, we submit the following exhibit. As permitted by present practice, dates contained in the exhibit have been obscured.

Exhibit A is an invention disclosure submitted by us on a date prior to May 16, 2001. The disclosure describes a catalyst containing platinum on a zirconia-stabilized silica support. The disclosure states that the catalyst converts NO to NO₂ at low temperatures (up to 96%

conversion). By low temperature, we meant below about 250°C, and preferably between about 175°C and 250°C. The disclosure also describes the preparation of the zirconia-silica support and further states that the addition of components having strong acid sites increases the activity of the catalyst.

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful and false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application and any patent issued thereon.

 3/19/2004
Albert N. Shigapov

 3/19/2004
Brendan P. Caherty

 3/31/2004
Robert W. McCabe